

ADRMOP, APPEAL, E-Filing, ProSe, REMAND

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:07-cv-06126-MMC  
Internal Use Only**

Berkeley Police Department et al v. Simon El Bey et al  
Assigned to: Hon. Maxine M. Chesney  
Demand: \$3,000,000  
Cause: 28:1651 Petition for Writ of Mandamus

Date Filed: 12/04/2007  
Date Terminated: 12/28/2007  
Jury Demand: None  
Nature of Suit: 350 Motor Vehicle  
Jurisdiction: Federal Question

**Plaintiff****Berkeley Police Department**

represented by **Berkeley Police Department**  
PRO SE

**Plaintiff****State of California Department of  
Motor Vehicles**

represented by **State of California Department of  
Motor Vehicles**  
PRO SE

V.

**Defendant****Emanuel Simon El Bey**

represented by **Emanuel Simon El Bey**  
P.O. Box 1188  
Richmond, CA 94804  
510-837-5836  
PRO SE

**Defendant****Makare Akhet Aten Simon El Bey**

represented by **Makare Akhet Aten Simon El Bey**  
P.O. Box 1188  
Richmond, CA 94804  
510-837-5836  
PRO SE

Date Filed	#	Docket Text
12/03/2007	2	MOTION/Application for Leave to Proceed in forma pauperis filed by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. (sv, COURT STAFF) (Filed on 12/3/2007) (Entered: 12/11/2007)
12/03/2007	3	Ex Parte Application to Request Release of Property filed by Emanuel

		Simon El Bey, Makare Akhet Aten Simon El Bey. (sv, COURT STAFF) (Filed on 12/3/2007) (Entered: 12/11/2007)
12/03/2007	<a href="#">4</a>	ADR SCHEDULING ORDER: Case Management Conference set for 3/12/2008 10:30 AM. Case Management Statement due by 3/5/2008. (Attachments: # <a href="#">1</a> Standing Order for Judge Larson, # <a href="#">2</a> Standing Order for all Judges)(sv, COURT STAFF) (Filed on 12/3/2007) (Entered: 12/11/2007)
12/03/2007		CASE DESIGNATED for Electronic Filing. (sv, COURT STAFF) (Filed on 12/3/2007) (Entered: 12/11/2007)
12/04/2007	1	PETITION for Writ of Mandamus ( Filing fee \$350; ifpp ). Filed by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. (sv, COURT STAFF) (Filed on 12/4/2007) (Entered: 12/11/2007)
12/06/2007	7	Declination to Proceed Before a U.S. Magistrate Judge by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. (ga, COURT STAFF) (Filed on 12/6/2007) (Entered: 12/12/2007)
12/11/2007	<a href="#">5</a>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Maxine M. Chesney for all further proceedings. Judge Magistrate Judge James Larson no longer assigned to the case. Signed by Executive Committee on 12/11/07. (mab, COURT STAFF) (Filed on 12/11/2007) (Entered: 12/11/2007)
12/11/2007	<a href="#">6</a>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (wh, COURT STAFF) (Filed on 12/11/2007) (Entered: 12/11/2007)
12/13/2007	<a href="#">8</a>	ORDER DIRECTING DEFENDANTS TO SUPPLEMENT NOTICE OF REMOVAL; DIRECTING DEFENDANTS TO SERVE PLAINTIFFS; GRANTING APPLICATION TO PROCEED IN FORMA PAUPERIS. Defendants are ordered to supplement their notice of removal by filing, no later than December 28, 2007, the following document(s): (1) a copy of the complaint or other pleading filed by plaintiffs in state court; and (2) any other document filed in the state court action by either plaintiffs or defendants. Defendants are further ordered to serve counsel for plaintiffs, no later than December 28, 2007, with a copy of defendants' notice of removal, and to file with the Clerk, no later than December 28, 2007, proof of such service. Defendants' application to proceed in forma pauperis is granted. Signed by Judge Maxine M. Chesney on December 13, 2007. (mmcl1, COURT STAFF) (Filed on 12/13/2007) (Entered: 12/13/2007)
12/14/2007	<a href="#">9</a>	CASE MANAGEMENT SCHEDULING ORDER: Case Management Statement due by 3/7/2008. Case Management Conference set for 3/14/2008 10:30 AM.. Signed by Judge Maxine M. Chesney on 2/27/2007. (Attachments: # <a href="#">1</a> Standing Orders)(tl, COURT STAFF) (Filed on 12/14/2007) (Entered: 12/14/2007)
12/20/2007	10	WRIT OF MANDAMUS IN THE NATURE OF REMOVAL (From Superior (State) Court to Federal Court 28 1441-1446). Filed by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. Re <a href="#">8</a> Order (aaa, Court Staff) (Filed on 12/20/2007) (Entered: 12/21/2007)
12/20/2007		Summons Issued as to Berkeley Police Department, State of California

		Department of Motor Vehicles. (aaa, Court Staff) (Filed on 12/20/2007) (Entered: 12/21/2007)
12/28/2007	<a href="#">11</a>	ORDER REMANDING ACTION TO STATE COURT. Signed by Judge Maxine M. Chesney on December 28, 2007. (mmclcl1, COURT STAFF) (Filed on 12/28/2007) (Entered: 12/28/2007)
12/28/2007		(Court only) ***Civil Case Terminated. (mmclcl1, COURT STAFF) (Filed on 12/28/2007) (Entered: 12/28/2007)
12/28/2007	<a href="#">12</a>	CLERK'S NOTICE: Sent by U.S. MAIL a certified copy of <a href="#">11</a> Remand order and a certified copy of the civil docket to the Superior Court of California County of Alameda. (aaa, Court Staff) (Filed on 12/28/2007) (Entered: 01/02/2008)
01/02/2008	13	SUMMONS Returned Executed by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. Berkeley Police Department served on 12/21/2007, answer due 1/10/2008; State of California Department of Motor Vehicles served on 12/21/2007, answer due 1/10/2008. State of California Attorney General Served on 12/21/07, answer due 1/10/08. Attorney General U.S. Department of Justice Served on 12/21/07, answer due 1/10/08. (aaa, Court Staff) (Filed on 1/2/2008) (Entered: 01/03/2008)
01/04/2008	14	Summons Returned Unexecuted by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey as to Berkeley Police Department, State of California Department of Motor Vehicles. (aaa, Court Staff) (Filed on 1/4/2008) (Entered: 01/07/2008)
01/07/2008	<a href="#">15</a>	RECEIPT OF ACKNOWLEDGMENT from the Superior Court of California County of Alameda re <a href="#">11</a> Remand Order. (aaa, Court Staff) (Filed on 1/7/2008) (Entered: 01/08/2008)
02/07/2008	<a href="#">17</a>	MOTION FOR RELIEF FROM JUDGMENT/ ORDER/ REMANDING ACTION TO STATE COURT filed by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. (aaa, Court Staff) (Filed on 2/7/2008) (Entered: 02/08/2008)
02/08/2008	<a href="#">16</a>	ORDER DENYING MOTION FOR RELIEF FROM ORDER REMANDING ACTION TO STATE COURT. Signed by Judge Maxine M. Chesney on February 8, 2008. (mmclcl1, COURT STAFF) (Filed on 2/8/2008) (Entered: 02/08/2008)
02/08/2008		(Court only) Motion terminated. (mmclcl1, COURT STAFF) (Filed on 2/8/2008) (Entered: 02/08/2008)
05/12/2008	<a href="#">18</a>	NOTICE OF APPEAL as to <a href="#">11</a> Order Remanding Case by Emanuel Simon El Bey, Makare Akhet Aten Simon El Bey. (aaa, Court Staff) (Filed on 5/12/2008) (Entered: 05/13/2008)
05/13/2008	<a href="#">19</a>	Transmission of <a href="#">18</a> Notice of Appeal, Cover Letter and Docket Sheet to US Court of Appeals re <a href="#">18</a> Notice of Appeal (aaa, Court Staff) (Filed on 5/13/2008) (Additional attachment(s) added on 5/13/2008: # <a href="#">1</a> Transmittal Form) (aaa, Court Staff). (Entered: 05/13/2008)

05/13/2008	<a href="#">20</a>	Certificate of Record Mailed to USCA re appeal <a href="#">18</a> Notice of Appeal : (aaa, Court Staff) (Filed on 5/13/2008) (Entered: 05/13/2008)
05/13/2008	<a href="#">21</a>	Copy of <a href="#">18</a> Notice of Appeal and Docket sheet mailed to all counsel/parties without an e-mailing address. (aaa, Court Staff) (Filed on 5/13/2008) (Entered: 05/13/2008)